

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

FILED
U.S. DIST. COURT
BRUNSWICK DIV.

2005 JUN -7 A 10:03

CLERK 
SO. DIST. OF GA.

ELTON RIEARA,

Plaintiff,

v.

Lt. BRIAN RULEY, individually,

Defendant.

CIVIL ACTION NO. CV205-037

ORDER

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court.

Plaintiff's claims that Defendant Ruley subjected him to cruel and unusual punishment, was deliberately indifferent, and violated his right to equal protection are **DISMISSED** for failure to state a claim under Bivens and § 1915(e)(2)(B)(ii). Plaintiff's claims against Defendant Ruley in his official capacity are also **DISMISSED**.

SO ORDERED, this 7th day of June, 2005.


JUDGE, UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

United States District Court
Southern District of Georgia

RIEARA _____)

vs _____)

RULEY _____)

CASE NUMBER CV205-37

DIVISION BRUNSWICK

The undersigned, a regularly appointed and qualified deputy in the office of the Clerk of this district, while conducting the business of the Court for said division, does hereby certify the following:

1. Pursuant to the instructions from the Court and in the performance of my official duties, I personally placed in the United States Mail a sealed envelope, and properly addressed to each of the persons, parties or attorneys named below; and
2. That the aforementioned enveloped contained a copy of the document dated 6/6/05, which is part of the official record of this case.

Date of Mailing: 6/7/05

Date of Certificate ☒ same date, or _____

Scott L. Poff, Clerk

By: _____

Sherry Taylor, Deputy Clerk

Name and Address

Elton Rieara, 09989-017, FCT Jesup, 2680 Highway 301 S, Jesup, GA 31599

- ☐ Copy placed in Minutes
☒ Copy given to Judge
☐ Copy given to Magistrate